

REMARKS

Claims 10-20 have been canceled without prejudice to or disclaimer of the subject matter thereof.

Claim 1 has been amended to incorporate the subject matter of claim 3, which has been canceled.

Claim 2 has been amended to recite an embodiment of the invention wherein the unit dose package includes a means for containing unit doses. Support for the amendment can be found on page 8, lines 1-12, of the specification.

New claim 21 finds support on page 4, lines 24-25, of the specification.

New claim 22 finds support on page 8, line 7, of the specification.

New claim 23 is based on original claim 14, now canceled.

New claims 24-26 find support on page 8, lines 1-12, of the specification.

New claim 27 is based on original claim 17, now canceled.

New claim 28 is based on original claim 18, now canceled.

New claim 29 is based on original claim 19, now canceled.

New claim 30 is based on original claim 20, now canceled.

New claim 31 is based on original claim 11, now canceled.

The rejection of claims 1, 2, and 9 under 35 U.S.C. 112, second paragraph, is obviated by appropriate amendment. Claim 2 has been amended to recite an embodiment of the invention wherein a unit dose containing element is disposed in or on the package.

Claim 9 has been amended, in part, to delete the term "portion". It will be seen that claim 9 now depends from new claim 21, which is directed to a unit dose package in

which the foldable portion is manufactured from either paperboard or a foldable plastic material, in accordance with page 4, lines 24-25, of the specification.

In view of the above amendments and remarks, it is believed that the rejection under 35 U.S.C. 112, second paragraph, as applied to amended claims 1 and 9, has been overcome. Favorable reconsideration and withdrawal of the rejection is thus urged.

Claims 1 and 2 stand rejected under 35 U.S.C 102(b) as being anticipated by Wolfe (US 6,021,901). The Applicant submits that the cited reference does not disclose or suggest the unit dose package as recited in claim 1, as amended, and dependent claims 2, 4-9, and 21-31, because the reference does not disclose a unit dose package comprising

- a) a foldable portion formed as a series of contiguous panels and comprising:
 - (i) a top panel having an extension foldable in relation to the top panel; the extension having included thereon one or more blisters for holding unit dose materials; and the top panel and extension panel each having one or more slots near one edge thereof;
 - (ii) a bottom panel foldably connected to the top panel and having a depression means located therein;
 - (iii) a side panel foldably connected to the top panel and the bottom panel; and
- b) a molded locking element disposed on said foldable portion.

Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

Claims 1 and 2 stand rejected under 35 U.S.C 102(b) as being anticipated by Allison (US 4,890,742). The Applicant submits that the cited reference does not disclose

or suggest the unit dose package as recited in claim 1, as amended, and dependent claims 2, 4-9, and 21-31, because the reference does not disclose a unit dose package comprising

- a) a foldable portion formed as a series of contiguous panels and comprising:
 - (i) a top panel having an extension foldable in relation to the top panel; the extension having included thereon one or more blisters for holding unit dose materials; and the top panel and extension panel each having one or more slots near one edge thereof;
 - (ii) a bottom panel foldably connected to the top panel and having a depression means located therein;
 - (iii) a side panel foldably connected to the top panel and the bottom panel; and
- b) a molded locking element disposed on said foldable portion.

Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

Claims 1, 2, 8 and 9 stand rejected under 35 U.S.C 102(b) as being anticipated by Allison (US 4,890,742). The Applicant submits that the cited reference does not disclose or suggest the unit dose package as recited in claim 1, as amended, and dependent claims 2, 4-9, and 21-31, because the reference does not disclose a unit dose package comprising

- a) a foldable portion formed as a series of contiguous panels and comprising:
 - (i) a top panel having an extension foldable in relation to the top panel; the extension having included thereon one or more blisters for holding unit dose materials; and the top panel and extension panel each having one or more slots near one edge thereof;

- (ii) a bottom panel foldably connected to the top panel and having a depression means located therein;
 - (iii) a side panel foldably connected to the top panel and the bottom panel; and
- b) a molded locking element disposed on said foldable portion.

Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

Claims 1 and 2 stand rejected under 35 U.S.C 102(f) in view of Gelardi (U.S. Patent Application Publication No. 2003/0015438). The Applicant submits that the cited reference does not disclose or suggest the unit dose package as recited in claim 1, as amended, and dependent claims 2, 4-9, and 21-31, because the reference does not disclose a unit dose package comprising

- a) a foldable portion formed as a series of contiguous panels and comprising:
- (i) a top panel having an extension foldable in relation to the top panel; the extension having included thereon one or more blisters for holding unit dose materials; and the top panel and extension panel each having one or more slots near one edge thereof;
 - (ii) a bottom panel foldably connected to the top panel and having a depression means located therein;
 - (iii) a side panel foldably connected to the top panel and the bottom panel; and
- b) a molded locking element disposed on said foldable portion.

Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

Claims 1 and 2 stand rejected under 35 U.S.C 102(g) in view of Gelardi (U.S. Patent Application Publication No. 2003/0015438). The Applicant submits that the cited reference does not disclose or suggest the unit dose package as recited in claim 1, as amended, and dependent claims 2, 4-9, and 21-31, because the reference does not disclose a unit dose package comprising

- a) a foldable portion formed as a series of contiguous panels and comprising:
 - (i) a top panel having an extension foldable in relation to the top panel; the extension having included thereon one or more blisters for holding unit dose materials; and the top panel and extension panel each having one or more slots near one edge thereof;
 - (ii) a bottom panel foldably connected to the top panel and having a depression means located therein;
 - (iii) a side panel foldably connected to the top panel and the bottom panel; and
- b) a molded locking element disposed on said foldable portion.

Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

The rejection of claims 1 and 2 stand rejected under 35 U.S.C 102(e) as being anticipated by Gelardi (U.S. Patent Application Publication No. 2003/0015438) is respectfully traversed. The Gelardi reference is not prior art to the present invention because the U.S. filing date of the Gelardi application (4/9/2002) is AFTER the invention date (9/26/2001) of Applicant's invention. Notwithstanding the foregoing, the Gelardi reference clearly fails to disclose or suggest the unit dose package as recited in claim 1,

as amended, and dependent claims 2, 4-9, and 21-31. Accordingly, favorable reconsideration and withdrawal of the rejection is urged.

In view of the amendments and remarks, Applicants respectfully submit that the present claims are now in condition for allowance, and early notice of such action is earnestly solicited.

Applicants hereby petition the Commissioner for Patents to extend the time for reply to the notice dated January 7, 2004, for three (3) months from April 7, 2004, to July 7, 2004. A duly completed credit card authorization form is attached to effect payment of the extension fee.

Also attached is an Associate Power of Attorney authorizing the undersigned to act before the U.S. Patent and Trademark Office on behalf of the Applicants in this application.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Malcolm J. MacDonald". The signature is fluid and cursive, with the first and last names being more prominent.

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